

PATENT  
Docket H 3381 PCT/US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Application of Kolowrot et al.

**International Application No.** PCT/EP99/06799  
**International Filing Date:** September 14, 1999

Serial No. 09/787,248                              Examiner: To be assigned  
Filed: To be assigned                              Art Unit: To be assigned

**TITLE:** SPRAYABLE HOT-MELT ADHESIVE

"Express Mail Post Office to Addressee" service mailing label number EL615774900US

**TRANSMITTAL LETTER FOR SECOND SUBMISSION**  
**UNDER 35 USC §371**

Box PCT

Attn: DO/EO/US

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Transmitted herewith for filing in the above-identified patent application is:

- [ ] An Amendment Responsive to the Office Action Dated \_\_\_\_\_.
- [X] An Amendment Supplemental to the Preliminary Amendment filed March 16, 2001.
- [X] Other: Version with Markings to Show Changes Made.
- [ ] \_\_\_\_\_ Sheet of Proposed Corrected Informal Drawings are enclosed.
- [ ] A Certified Copy of each of the following applications: \_\_\_\_\_  
\_\_\_\_\_ is enclosed.

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**Serial No.: 09/787,248**

**PATENT**

[ ] An Associate Power of Attorney is enclosed.

[X] Information Disclosure Statement.

[X] Attached Form 1449.

[X] A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.

[ ] Appended Material as follows: \_\_\_\_\_

[X] Other Material as follows: Copy of Form PCT/DO/EO/905; Form  
PCT/DO/EO/917

[X] Executed Declaration (original, 3 pgs.) in response to Notice of Missing Parts.

[X] Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for responding to the Notification of Missing Requirements mailed April 24, 2001 to and through August 24, 2001, comprising an extension of the shortened statutory period of two(2) month(s).

[X] The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 01-1250, Order No. 01-0621. This sheet is provided in duplicate.

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**FEE CALCULATION**

[ ] No Additional Fee is Due.

			SMALL ENTITY		NOT SMALL ENTITY		
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	Fee	RATE	Fee
TOTAL CLAIMS	21	20 (20 MINIMUM)	1	\$9 EACH	\$	\$18 EACH	\$ 18
INDEP. CLAIMS	2	3 (3 MINIMUM)	0	\$40 EACH	\$	\$80 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$135	\$	\$270	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input checked="" type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$195	\$	\$390	\$390
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$445	\$	\$890	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$695	\$	\$1390	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$945	\$	\$1890	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$ )
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input checked="" type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS: Missing Parts 37 CFR 1.492(e) Deposit Account <u>01-1250</u> Order No. <u>01-0619</u>							\$130
TOTAL FEE DUE							\$538

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- [X] The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to Deposit Account No. 01-1250, Order No. 01-0620. This sheet is provided in duplicate.
- [X] The Foregoing Amount Due for Filing this Paper.
- [X] Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- [X] Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to notify the undersigned.

08/28/2001 MKAYPAGH 00000116 011250 09787248

Respectfully submitted,

01 FC:116 390.00 CH  
02 FC:154 130.00 CH  
03 FC:966 18.00 CH

*Kimberly R. Hild*  
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Date August 24, 2001  
Henkel Corporation Patent Law Dept.  
2500 Renaissance Boulevard, Suite 200  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

See Am Note - 6/24/01

KRT

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/787248	KOLOWROT RECEIVED HENKEL LAW DEPT. ACTION INFO <u>BSCIU</u>	H 3381 PCT/U INTERNATIONAL APPLICATION NO. PCT/EP99/06799
HENKEL CORPORATION 2500 RENAISSANCE BLVD SUITE 200 GULPH MILLS, PA 19406		REC'D APR 26 2001 DUE 14 SEP 99 FILE H 3381 PCT/U
		I.A. FILING DATE: 21 SEP 98 PRIORITY DATE: 24 APR 2001 DATE MAILED:

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494)  an Elected Office (37 CFR 1.495):
  - U.S. Basic National Fee.  Indication of Small Entity Status.
  - Copy of the international application.  Translation of the international application into English.
  - Oath or Declaration of inventors(s).  Translation of Article 19 amendments into English.
  - Copy of Article 19 amendments.  Other:
  - Priority Document.
  - The International Preliminary Examination Report in English and its Annexes, if any.
  - Translation of Annexes to the International Preliminary Examination Report into English.
2.  Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
  - U.S. Basic National Fee.  Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
  - a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5.  Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:  PCT/DO/EO/917  
 PTO-875

Notice of Defective Translation  
 PCT/DO/EO/920

Deborah D. Williams *[Signature]*

Telephone: 703-305-3744



## UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/787248		KOLOWROT	D H 3381 PCT/U
INTERNATIONAL APPLICATION NO.			
PCT/EP99/06799			
I.A. FILING DATE	PRIORITY DATE		
14 SEP 99	21 SEP 98		

DATE MAILED: **24 APR 2001****NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION**

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371(c)(4) for entry into the national stage in the United States of America. The period within which to correct the deficiency noted below and avoid abandonment is set in the accompanying Notification.

A new oath or declaration, properly identifying this application (preferably by the international application number and international filing date) is required. The oath or declaration does not comply with 37 CFR 1.497(a),(b) and (f) in that it:

1.  is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2.  does not identify the application to which it is directed.
3.  does not identify the inventor(s).
4.  does not identify the citizenship of each inventor.
5.  does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b), AND 1.497(d) WHERE APPROPRIATE, WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1.  does not identify the mailing address of each inventor. If the residence is different from the mailing address, then the city and state or city and foreign country of residence of each inventor must also be given.
2.  does not state that the person making the oath or declaration:
  - a.  has reviewed and understands the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
  - b.  acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.
3.  does not identify the foreign application for patent or inventor's certificate for which a claim for priority is made pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.

  
Deborah D. Williams

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